



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF CSC TKR, INC.)
D/B/A CABLEVISION MORRIS, FOR A CERTIFICATE)
OF APPROVAL TO CONTINUE TO OPERATE AND)
MAINTAIN A CABLE TELEVISION SYSTEM IN THE)
TOWNSHIP OF EAST HANOVER, COUNTY OF MORRIS,)
STATE OF NEW JERSEY)

RENEWAL
CERTIFICATE OF APPROVAL

DOCKET NO. CE01090562

Schenck, Price, Smith & King, Morristown, New Jersey, by James Eric Andrews, Esq.,
for the Petitioner.

Township Clerk, Township of East Hanover, New Jersey, by Marilyn J. Snow, for the Township.

BY THE BOARD¹:

On August 8, 1974, the Board granted Morris Cablevision Corporation ("Morris") a Certificate of Approval for the construction, operation and maintenance of a cable television system in the Township of East Hanover ("Township"), in Docket No. 7312C-5072. On June 11, 1982, the Board approved the transfer of the Certificate of Approval from Morris Cablevision to Sammons Communications of New Jersey, Inc. ("Sammons"), in Docket No. 823C-6894. On October 13, 1992, the Board granted Sammons a Renewal Certificate of Approval for the Township in Docket No. CE89080683. On February 28, 1996, in Docket No. CM95080400, the Board approved the transfer of the Certificate of Approval from Sammons to TKR Cable Company d/b/a TKR of Morris ("TKR"). On December 17, 1997, in Docket No. CF97090674, the Board approved the transfer of certain capital stock, along with the applicable Certificate of Approval, from TKR to CSC TKR, Inc. d/b/a Cablevision of Morris ("Petitioner"). Although the above referenced Certificate for the Township expired on August 8, 1999, the Petitioner is authorized to continue to provide cable television service to the Township, pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate of Approval.

¹ Commissioner Carol J. Murphy did not participate in the deliberations or vote on this matter.

The Petitioner filed an application for the renewal of its municipal consent with the Township on November 5, 1998, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13. The Township, after public hearings, adopted an ordinance granting renewal municipal consent to the Petitioner on May 14, 2001. The Petitioner formally accepted the terms and conditions of the ordinance on August 7, 2001, in accordance with N.J.S.A. 48:5A-24.

On September 14, 2001, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate of Approval for the Township. The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval and the municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board HEREBY FINDS the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Certificate of Approval. Further, the Township reviewed these qualifications in conjunction with the municipal consent process. See N.J.S.A. 48:5A-22 to 29 and N.J.A.C. 14:18-13.1 et seq.
2. The design and technical specifications of the system shall ensure that the Petitioner provides safe, adequate and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the ordinance is ten years from the date of issuance of this Certificate. The Board finds this period to be of reasonable duration.
5. The Petitioner shall provide service to any person's residence or business located in the franchise territory as described in the application. The Petitioner shall utilize the line extension policy ("LEP") attached to the Certificate (Appendix "I"). The minimum homes per mile ("HPM") figure is 25.
6. The Petitioner's rates shall be regulated and tariffs shall be filed for all services, in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain informational tariffs for unregulated service rates, and promptly file any revisions thereto.
7. Pursuant to N.J.S.A. 48:5A-26(b), the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Township. In this case, it is the Office of Cable Television. All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.
8. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. Currently, the local office serving this provision is located at The Wiz store in the Roxbury Mall at 275-110 Route 10 in Succasunna (Roxbury Township), New Jersey.
9. The franchise fee to be paid to the Township is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Township. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's

gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.

10. The Petitioner shall provide public, educational, and governmental ("PEG") access services, equipment and facilities as described in the application and the ordinance. The Petitioner shall provide the Township access to a studio, production equipment and educational workshops. The Petitioner shall provide one PEG access channel for use solely by the residents and institutions of the Township.
11. The Petitioner shall provide the Township with a grant of \$15,000.00 to be applied to the purchase of PEG access equipment such as cameras, editing and playback devices. The Township shall, at its discretion be permitted to use such grant toward the purchase of other telecommunications related services from the Petitioner, in lieu of purchasing PEG access equipment.
12. The Petitioner shall provide, free of charge, one standard installation and monthly cable service to following municipal buildings in the Township: a) the Recreation Center on Fifth Street; and b) Fire Headquarters on Ridgedale Avenue.
13. The Petitioner shall provide, free of charge, one standard installation and monthly cable service to all state accredited public schools and all public libraries within the Township. When high speed Internet access via cable modem service from the Petitioner becomes commercially available to residential customers within the Township, the Petitioner shall provide one cable modem and Internet access to all state accredited public schools and all public libraries within the Township, free of charge, including standard installation.
14. When high speed Internet access via cable modem service from the Petitioner becomes commercially available to residential customers within the Township, the Petitioner shall provide one cable modem and Internet access service to Town Hall. The Township shall be permitted, at its own cost, to network up to three additional personal computer terminals.
15. The Petitioner shall implement a senior citizens discount in the amount of 10% of the basic monthly service for persons meeting the eligibility requirements, pursuant to N.J.S.A. 30:4D-21 and N.J.A.C. 14:18-3.20.

Based upon these findings, the Board HEREBY CONCLUDES, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), the Petitioner has the municipal consent necessary to support the petition, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 et seq., that the Petitioner has complied or is ready, willing and able to comply with all applicable rules and regulations imposed by or pursuant to State or federal law as preconditions for engaging in the proposed cable television operations, that the Petitioner has sufficient financial and technical capacity, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is HEREBY ISSUED this Renewal Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the Township.

This Renewal Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. The Petitioner shall adhere to the standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. §76.1 et seq., including but not limited to, the technical standards of 47 C.F.R. §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

This Certificate shall expire ten years from the date of its issuance.

DATED: November 7, 2002

BOARD OF PUBLIC UTILITIES
BY:

(signed)

JEANNE M. FOX
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

(signed)

CONNIE O. HUGHES
COMMISSIONER

(signed)

JACK ALTER
COMMISSIONER

ATTEST:

(signed)

KRISTI IZZO
SECRETARY